IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY APPEAL NO. 2 OF 2006

Shri Santosh Kanta Assoldekar. **... Appellant**

versus

Official Liquidator of National Auto Accessories Limited(In Liquidation) **... Respondent**

Mr. D. Pangam, Advocate for the Appellants.

Ms. Amira Razaq, Advocate for the Respondent.

CORAM : N. A. BRITTO, J.

DATE : 23RD FEBRUARY, 2007.

P. C. :-

Heard the learned Counsel on behalf of the appellant and the respondent.

This is an appeal filed against Orders of the Official Liquidator disallowing certain claims made by the appellant. On behalf of the respondent, the learned Counsel Ms. Amira Razaq has submitted with reference to Company Application No.34 of 2006 that the Official Liquidator would like to recall the said Order and consider the claim of the appellant afresh in accordance with law. As far as the appeal No.2 of 2006 is concerned, it appears that the Official Liquidator has not complied with the provisions of Rule 163 of the Companies(Court) Rules, 1959 by stating the reasons for rejecting the part of the claim of the appellant. The learned Counsel Mr. D. Pangam on behalf of the appellant has no objection for setting aside the orders of the Official Liquidator and for remanding the respective cases for reconsideration, in accordance

with law.

Consequently, the appeal is allowed. The impugned Orders are set aside in the light of what has been stated herein above and the Official Liquidator is hereby directed to consider the claims of the appellants, the ex-employee of the Company in liquidation in accordance with law and particularly Rule 163 of the aforesaid Rules within a period of three weeks, after hearing the appellant.

Order accordingly.

N. A. BRITTO, J.

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